

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

MIKEAL BOLZ	§	
VS.	§	CIVIL ACTION NO. 1:16-CV-503
UNKNOWN DEFENDANTS	§	

MEMORANDUM ORDER OVERRULING OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Plaintiff, Mikeal Bolz, an inmate confined at the Stiles Unit with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against unknown defendants.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends plaintiff’s Motion for Emergency Hearing, a Temporary Restraining Order and/or Preliminary Injunction be denied.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. Plaintiff filed objections to the Report and Recommendation of United States Magistrate Judge. This requires a *de novo* review of the objections in relation to the pleadings and applicable law. *See* FED. R. CIV. P. 72(b).

After careful consideration, the Court finds the objections lacking in merit. Plaintiff has failed to establish a likelihood of success on the merits nor has he shown a substantial threat of irreparable injury if the injunction is not issued. Furthermore, plaintiff has not discussed how the threatened injury outweighs any harm that may result from the injunction nor has he shown that the injunction will not disserve the public interest.

Accordingly, plaintiff's objections are overruled. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**.

SIGNED this the **19** day of **September, 2017**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge